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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,731	07/31/2003	Takenori Yoshizawa	0717-0513P	9350
2292 7590 08/18/2010 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER WUJCIAK, ALFRED J	
			ART UNIT 3632	PAPER NUMBER
			NOTIFICATION DATE 08/18/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No. 10/630,731	Applicant(s) YOSHIZAWA, TAKENORI	
	Examiner Alfred Joseph Wujciak III	Art Unit 3632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5-9,12,13 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-8,13 and 16-18 is/are allowed.
- 6) ☒ Claim(s) 1,5,9,12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the final Office Action for the serial number 10/630,731, DISPLAY SUBSTRATE ACCOMMODATING TRAY AND APPARATUS AND METHOD FOR REMOVING THE DISPLAY SUBSTRATE, filed on 7/31/03.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent # 4,972,951 to Vartanian.

Vartanian teaches a tray comprising a bottom section (20) supports a display substrate (video tape, column 2, lines 23-27) on at least a portion of a planar top surface (18) of the bottom section in a vicinity of the center of the display substrate, wherein the display substrate contacts at least a portion of the bottom section in the vicinity of the center of the display substrate. The tray includes a frame (16) provided along a periphery of the bottom section and the frame projects to a level higher than a level of the top surface of the bottom section. The tray includes a flange-like engaging section (42) protruding externally from walls of the frame in a substantially horizontal fashion. The frame has a planar top surface and the flange having a wall (between the flange and frame) defining an inner periphery thereof to define a positional relationship (see figure 2). The planar top surface of the frame is parallel to the planar top surface of the bottom section having the display substrate and the wall of the flange-like is

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connected to the planar surface of the frame. The wall of the flange-like projects a level higher than the level of the planar top surface of the frame with respect to the surface of the bottom section. Wherein the portion of the planar top surface supporting the display substrate has a surface area that is at least majority of the surface area of the bottom surface of the display substrate.

Vartanian teaches the width of the frame but fails to teach the width of the frame is substantially larger than the distance between the top of the top surface of the frame and the top surface of the bottom section. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified the width of the frame to be larger than the distance between the top of the top surface of the frame and the top surface of the bottom section to provide a larger surface area for supporting a smaller size of video tape (column 2, lines 26-27).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vartanian in view of Japan Patent #2003-236953 to Nakajima et al.

Vartanian teaches the bottom section and frame are integrally formed but fails to teach the bottom section and frame are formed from a synthetic resin foam material. Nakajima et al. teaches the synthetic resin foam material (10). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Vartanian's bottom section and frame with synthetic resin foam material as taught by Nakajima et al. to provide insulating layer in the tray (see abstract in Nakajima et al. invention).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vartanian and in view of US Patent # 6,116,427 to Wu et al.

Vartanian teaches a tray comprising a bottom section (20) supports a display substrate (video tape, column 2, lines 23-27) on at least a portion of a planar top surface (18) of the bottom section in a vicinity of the center of the display substrate, wherein the display substrate contacts at least a portion of the bottom section in the vicinity of the center of the display substrate. The tray includes a frame (16) provided along a periphery of the bottom section and the frame projects to a level higher than a level of the top surface of the bottom section. The tray includes a flange-like engaging section (42) protruding externally from walls of the frame in a substantially horizontal fashion. The frame has a planar top surface and the flange having a wall (between the flange and frame) defining an inner periphery thereof to define a positional relationship (see figure 2). The planar top surface of the frame is parallel to the planar top surface of the bottom section having the display substrate and the wall of the flange-like is connected to the planar surface of the frame. The wall of the flange-like projects a level higher than the level of the planar top surface of the frame with respect to the surface of the bottom section.

Vartanian teaches the width of the frame but fails to teach the width of the frame is substantially larger than the distance between the top of the top surface of the frame and the top surface of the bottom section. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified the width of the frame to be larger than the distance between the top of the top surface of the frame and the top surface of the bottom section

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to provide a larger surface area for supporting a smaller size of video tape (column 2, lines 26-27).

Vartanian teaches the bottom surface but fails to teach the bottom surface having plurality of openings. Wu et al. teaches plurality of openings (321) in the bottom surface. It would have been obvious for one of ordinary skill in the art at the time the invention was made to have added plurality of openings in Vartanian bottom surface as taught by Wu et al. to provide viewing of the identification mark on top side of device without removing the upper/stacked tray from the lower tray (column 3, lines 40-43 in Wu et al.'s invention).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vartanian in view of Wu et al. and in further view of Nakajima et al.

Vartanian teaches the bottom section and frame are integrally formed but fails to teach the bottom section and frame are formed from a synthetic resin foam material. Nakajima et al. teaches the synthetic resin foam material (10). It would have been obvious for one of ordinary skill in the art at the time the invention was made to have modified Vartanian's bottom section and frame with synthetic resin foam material as taught by Nakajima et al. to provide insulating layer in the tray (see abstract in Nakajima et al. invention).

Allowable Subject Matter

Claims 6-8, 13 and 16-18 are allowed.

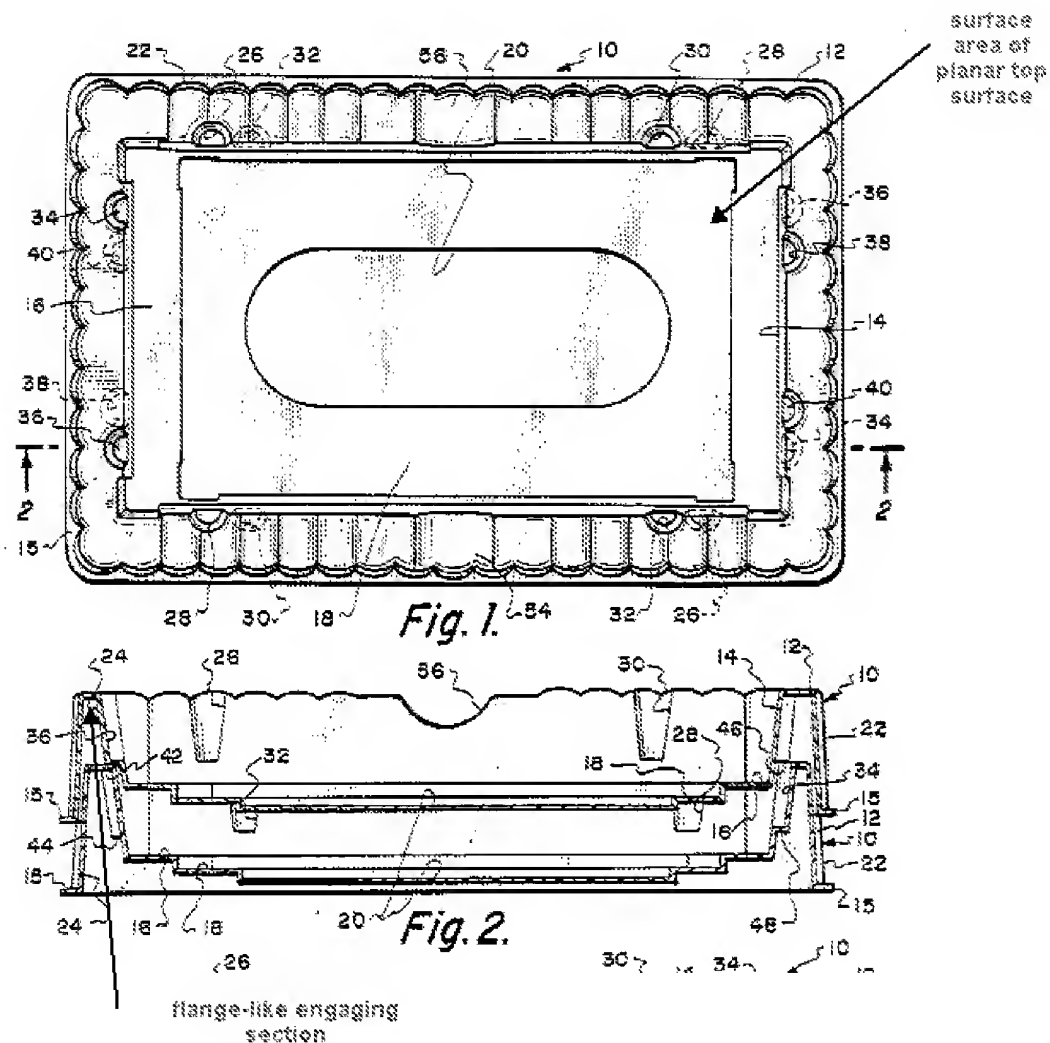
Response to Arguments

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Applicant's arguments filed 6/25/10 have been fully considered but they are not persuasive.

The applicant argues the stepped down portion 18 in Vartanian's invention does not have a portion that would be sufficient to support a substrate that is the subject of the present invention. The examiner disagrees with the applicant because figure 1 in Vartanian's invention shows element 18 having a solid area that is sufficient to support the display substrate and it would not ruin the display substrate when resting thereon. See diagram below.

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The applicant disagrees the bottom area of ledge 42 is a section to be engaged by a carrying section and cannot be function as carrying section. The examiner disagrees with the applicant because the bottom area of ledge is used as supporting for hand to lift and transport the tray. There is a large access area between the bottom surface of tray to the bottom area of ledge (42) for the hand to be inserted therein to pick up the tray.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alfred Joseph Wujciak III whose telephone number is (571) 272-6827. The examiner can normally be reached on 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrell Mckinnon can be reached on 571-272-4797. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alfred Joseph Wujciak III/
Primary Examiner, Art Unit 3632
8/15/10